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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/388,334 09/01/99 COONAN

G STINGER-UTIL

EXAMINER

PM82/0102

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NOVOSAD, J
ART UNIT

PAPER NUMBER

3634
DATE MAILED:

01/02/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/388,334

Applicant(s)

COONAN ET AL.

Examiner

Jennifer E. Novosad

Art. Unit

3634

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 November 2000.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3-5, 7-11, and 13-19 is/are rejected.
- 7) ☒ Claim(s) 6, 12, and 20 is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

Attachment(s)

- 15) ☐ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other:

DETAILED ACTION

Claim 2 has been canceled.

Claim Objections

Claims 1, 10, and 17 are objected to because of the following informalities:

In claim 1, lines 12-13, claim 10, lines 14-15, and claim 17, lines 16-17, it is suggested that a --,-- (comma) be inserted before "greater" and after "zero".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --
(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

Claims 1 and 3-5 are rejected under 35 U.S.C. 102(e) as being anticipated by Birrell '936.

Birrell '936 discloses a portable workstation (see attached red-marked photocopy of Figure 1) for holding and supporting a personal computer having a separate monitor and keyboard whereby the workstation comprises a first arm (27) having an upper end and (P) and a lower end (25); at least one platform (29) having a hinged monitor support (unnumbered - see Figure 2, between elements 29 and 30) holding a keyboard and being pivotally (P) and hingedly attached to the upper end (P) of the first arm (27); a second arm (15, i.e., 23, 20, and 16) having an upper *end* (23a) and a lower *end* (15a), i.e., the ends are defined as the surface areas of the second arm when taken in section, whereby the lower end (25) of the first arm (27) is hingedly

attached (at 25 and 21A) to the upper end (23a) of the second arm (15); the lower end (15a) of the second arm is attached to a base (11) supported by a plurality of rotatable rollers (14) that are equally spaced; a support stop mechanism (see Figure 4) operably coupled (at 25 and 21A) between the first arm (27) and the second arm (15) so that the first arm (27) can be rotated (at 25A) and continuously stopped between angular positions and the platform (29) can be pivoted (at P); and a line (see red-marked photocopy of Figure 1 - dotted line) passes through the upper end (23a) and the lower end (15a) of the second arm (15) and is situated at an acute angle which is greater than zero with respect ^{to} a vertical line (see red-marked photocopy of Figure 1 - dashed line) that passes through the base (11).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7, 10, 11, 13, 16, 17, and 18 are rejected under 35 U.S.C. 102(e) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Birrell '936.

Birrell '936 discloses the portable workstation as advanced above.

The claims differ from Birrell '936 in requiring: (1) a computer input and output device to be supported by a platform, and (2) a security panel attached thereto, e.g., a laptop.

With respect to (1) and (2), although Birrell '936 teaches a workstation having a platform which supports a keyboard of a personal computer, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have placed a laptop computer on the platform since the platform can securely support the laptop while thereby increasing the structural capability of the workstation and its capability to be used in different environments.

Claims 8, 9, 14, 15, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Birrell '936 as applied to claim 7, **10**, 11, 13, 16, **17**, and 18 above, and further in view of Coulthard '242.

Birrell '936 discloses the workstation as advanced above.

The claims differ from Birrell '936 in requiring: (1) a battery pack attached at a certain location, and (2) a wireless transceiver attached at a certain location.

With respect to (1) and (2), Coulthard '242 teaches that it is old in the art to utilize batteries and wireless transceivers to charge and use a computer.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided the workstation of Birrell '936 with batteries and/or a wireless receiver, as taught by Coulthard '242, for increased ease in maneuverability of the workstation and increased capabilities of the workstation so that it can be used in different environments.

Allowable Subject Matter

Claims 6, 12, and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: The prior art of record fails to show or suggest a computer workstation as called for in the claims whereby the platform is closer to a vertical line passing through a center of the base when the first arm is in the second angular position than when in the first angular position, as specifically called for in the claimed combinations in claims 6, 12, and 20.

Response to Arguments

Applicants' arguments, regarding claims 1, 3-5, 7-9, 10, 11, 13-16, and 17-19, filed November 6, 2000 have been fully considered but they are not persuasive.

With respect to applicants' arguments, in the paragraph bridging pages 5 and 6, that "Birrell does not show a second arm that is oriented at an acute angle greater than zero with respect to a vertical line passing the base", the examiner respectfully disagrees. It can be seen in the attached red-marked photocopy of Figure 1 of Birrell '936, that the upper end and lower end of the second arm are defined as the surface areas when taken in section and thus the (dotted) line that passes through the *ends* clearly extends at an acute angle with respect to a vertical line that passes through the base, i.e., a line passing through the center of the base is shown but it is noted that the claims of the instant invention do not recite that the line pass through the "center" of the base.

With respect to applicants' arguments in the paragraph bridging pages 6 and 7, that "Birrell neither shows or suggests a platform having a monitor support that is hinged and movable", the examiner respectfully disagrees. The element located between elements 29 and 30, in Figure 2 of Birrell, is considered to define a hinged monitor support.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

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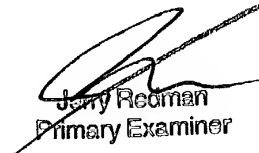
MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer E. Novosad whose telephone number is (703)-305-2872. The examiner can normally be reached on Monday-Thursday, 7:00am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (703)-308-2686. The fax phone numbers for the organization where this application or proceeding is assigned are (703)-305-3597 for regular communications and (703)-305-3597 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-308-1020.

Jennifer E. Novosad/jen
December 27, 2000



Jerry Redman
Primary Examiner